IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF ALABAMA NORTHERN DIVISION

GERALD RUHNOW; CONNIE *

RUHNOW, *

*

Plaintiffs, * Civil Action

File Number 2:05-cv-527-F

V. *

*

*

LANE HEARD TRUCKING, et. al.

*

Defendants. *

*

NORTHLAND INSURANCE CO.

*

Intervener,

*

V. *

*

LANE HEARD TRUCKING, et. al. *

*

Defendants. *

INTERVENER'S RESPONSE IN OPPOSITION TO DEFENDANT'S MOTION FOR SUMMARY JUDGMENT

Comes now Intervenor, Northland Insurance Company, ("Northland"), pursuant to Rule 56 of the Federal Rules of Civil Procedure, and files its Response to Defendant's, Lane Heard Trucking, LLC,'s Motion for Summary Judgment. This motion is based upon the pleadings, the applicable law, and the Statement of Disputed Facts, brief and supporting material filed contemporaneously herewith.

/S/ Linda Hinson Ambrose, Esq.

ASB 1753-B386

Attorney for Northland Insurance Co.

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OF COUNSEL: ROGERS AND ASSOCIATES 3000 Riverchase Galleria, Suite 650 Birmingham, Alabama 35242 (205) 982-4620 (205) 982-4630 (fax)

CERTIFICATE OF SERVICE

I hereby certify that I have this day served upon counsel for all concerned parties a copy of the within and foregoing Northland Insurance Company's Initial Disclosures by depositing a copy of the same in the United States Mail in a properly addressed envelope with sufficient postage affixed thereto, addressed as follows:

Robert C. Ward, Jr., Esq.
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Stephen D. Heninger, Esq. HENINGER, GARRISON & VARGO, LLC Po Box 11310 Birmingham, Alabama 35201 Counsel for Plaintiffs, Gerald and Connie Ruhnow

This 14th day of August, 2006.

/S/ Linda Hinson Ambrose, Esq. ASB 1753-B386 Attorney for Northland Insurance Co.